


C L A I M S

The following is a detailed listing of all claims that are, or were, in the application. A status identifier is provided for every claim and the current text of every claim is presented, unless the claim has been cancelled. Current amendments to the claims are expressed in the detailed listing by strikethrough (for deleted matter) or underlining (for added matter).

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1. (Currently Amended) A process, comprising:
receiving information identifying a product;
identifying at least a first retailer offering the product; and
determining, by a controller, terms of a subscription for the product, wherein the subscription is valid at the at least first retailer,
wherein the terms include a penalty to be assessed against the customer if the customer violates one or more terms of the subscription.
 2. (Original) The process of claim 1, further comprising communicating terms of the subscription to the at least first retailer.
 - B² 3. (Original) The process of claim 1, further comprising receiving information identifying a customer.
 4. (Original) The process of claim 1, further comprising tracking fulfillment of the subscription.
 5. (Original) The process of claim 2, further comprising:
receiving an acceptance of the terms of the subscription from a customer; and
establishing a subscription for the product.
 6. (Original) The process of claim 4, further comprising identifying settlement terms including at least a settlement amount and a settlement party, the process further comprising:
paying the settlement amount to the settlement party based on fulfillment of the subscription.

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7. (Original) The process of claim 1, further comprising assigning a redemption identifier to the subscription.
 8. (Original) The process of claim 7, further comprising:
communicating the redemption identifier to a customer.
 9. (Original) The process of claim 8, further comprising:
communicating the redemption identifier to the at least first retailer.
 10. (Original) The process of claim 8, further comprising:
communicating the redemption identifier from the customer to the at least first retailer.
 11. (Original) The process of claim 3, wherein the information identifying the customer includes at least one of: a customer name; a social security number; a drivers license number; a credit card number; a payment account identifier; a frequent shopper card number; a telephone number; and a unique identifier associated with the customer.
 12. (Original) The process of claim 1, wherein the information identifying the product includes at least one of: a product name; a product identifier; a product description; a product category; a product group; a service name; a service identifier; a service description; and a service type.
 13. (Original) The process of claim 1, wherein receiving information comprises receiving information over at least one of a network and a direct connection.
 14. (Original) The process of claim 1, wherein receiving information further comprises receiving a desired price.
 15. (Original) The process of claim 1, wherein the product is a plurality of products.

16. (Original) The process of claim 1, wherein the information identifying the product includes information identifying a specific brand of product.

17. (Original) The process of claim 1, wherein the information identifying a product is received from a customer and the customer is a group of individuals.

18. (Original) The process of claim 1, wherein identifying the at least first retailer further comprises:

selecting the at least first retailer from a plurality of retailers.

19. (Original) The process of claim 1, wherein the at least first retailer is a chain of retailers including a plurality of store locations.

20. (Original) The process of claim 1, wherein the at least first retailer is a specific store location.

21. (Original) The process of claim 1, further comprising identifying at least a second retailer offering the item.

22. (Original) The process of claim 1, wherein the terms include information identifying a quantity and a price.

23. (Original) The process of claim 22, wherein the price is a price per unit of the product.

24. (Original) The process of claim 22, wherein the price is equal to a retail price of the product.

25. (Original) The process of claim 22, wherein the price decreases progressively per unit of product purchased during a duration of the subscription.

26. (Original) The process of claim 22, wherein the price is the lowest price of the item occurring during a duration of the subscription.
27. (Original) The process of claim 22, wherein the price is defined by at least one of: a retailer; a product manufacturer; a controller; an entity operating a controller; and a customer.
28. (Original) The process of claim 22, wherein the customer pays the price to the first retailer each time the customer redeems a product pursuant to the subscription
29. (Original) The process of claim 5, wherein the terms include information identifying a total price and wherein the customer pays the total price to a controller.
30. (Original) The process of claim 29, wherein the customer pays the total price to the controller at the end of the subscription.
31. (Original) The process of claim 29, wherein the customer pays the total price to the controller when establishing the subscription.
32. (Currently Amended) The process of claim 1, wherein the terms include information identifying: a total subscription quantity; a subscription price; a subscription frequency; and a subscription duration.
33. (Original) The process of claim 32, wherein the subscription price is based on at least one of: the total subscription quantity; the subscription frequency; and the subscription duration.
34. (Original) The process of claim 32, wherein the terms further include information identifying a subscription start date and a subscription end date.

35. (Cancelled)

36. (Currently Amended) The process of claim 35 1, wherein the penalty is assessed against the customer if the customer fails to comply with a term identifying a total subscription quantity.

37. (Currently Amended) The process of claim 35 1, wherein the penalty is assessed against the customer if the customer fails to comply with a term identifying a subscription frequency.

38. (Currently Amended) The process of claim 35 1, wherein the penalty is assessed against the customer if the customer fails to comply with a term identifying the subscription duration.

39. (Currently Amended) The process of claim 35 1, wherein the penalty is assessed against the customer by applying a penalty amount against a customer financial account.

40. (Currently Amended) The process of claim 35 1, wherein the penalty is assessed against the customer by applying a penalty against a frequent shopper account.

41. (Original) The process of claim 1, wherein determining terms of a subscription further includes:

presenting the customer with at least a first proposed term;
receiving at least a second proposed term from the customer; and
establishing terms of the subscription based on the at least first proposed term and the at least second proposed term.

42. (Original) The process of claim 41, wherein the at least first proposed term is based on an available subscription defined by a retailer.

43. (Original) The process of claim 4, wherein tracking fulfillment further comprises:
determining if the customer has complied with at least one term of the subscription.

44. (Original) The process of claim 43, further comprising:

applying a penalty if the customer has failed to comply with one or more terms of the subscription.

45. (Original) The process of claim 43, wherein tracking fulfillment is performed by a controller.

46. (Original) The process of claim 45, wherein tracking fulfillment further comprises: receiving, from the at least first retailer, a transaction authorization request, the transaction authorization request including information identifying a redemption identifier and a product;

determining, based on the redemption identifier, whether the subscription is valid;

determining if the product may be redeemed under the subscription; and

communicating an authorization of the transaction to the at least first retailer if the subscription is valid for the product.

47. (Original) The process of claim 43, wherein tracking fulfillment is performed by the at least first retailer.

48. (Original) The process of claim 43, wherein tracking fulfillment is performed by the customer.

49. (Original) The process of claim 46, further comprising: receiving a request from the at least first retailer requesting an authorization of a transaction involving the customer and a product; and authorizing the transaction if the customer is complying with terms of the subscription.

50. (Original) The process of claim 47, further comprising: transmitting subscription terms to the at least first retailer; comparing, at the at least first retailer, transaction information involving the customer and a product with the subscription terms.

51. (Original) The process of claim 50, further comprising:
applying a penalty to the customer if comparing indicates that at least one of the
subscription terms has been violated.
52. (Original) The process of claim 48, further comprising:
recording product purchase information on a customer device;
comparing the product purchase information with terms of the subscription stored on the
customer device; and
updating subscription information on the customer device.
53. (Original) The process of claim 5, wherein the settlement amount is a price per unit of
the product.
54. (Original) The process of claim 5, wherein the settlement amount is a fixed amount per
subscription.
55. (Original) The process of claim 1, further comprising:
receiving a modification request; and
modifying terms of the subscription if the modification request is for a permitted
modification.
56. (Original) The process of claim 55, wherein the modification request is a request to
replace the product with a new product.

57. (Cancelled)

58. (Cancelled)

59. (Cancelled)

60. (Cancelled)

61. (Cancelled)

62. (Cancelled)

63. (Cancelled)

64. (Cancelled)

65. (New) A process, comprising:
receiving information identifying a product;
identifying at least a first retailer offering the product; and
determining, by a controller, terms of a subscription for the product, wherein the
subscription is valid at the at least first retailer,

and further wherein determining terms of a subscription further includes:

presenting the customer with at least a first proposed term;

receiving at least a second proposed term from the customer; and

establishing terms of the subscription based on the at least first proposed

term and the at least second proposed term.

66. (New) The process of claim 65, wherein the at least first proposed term is based on an
available subscription defined by a retailer.

67. (New) A process, comprising:
receiving information identifying a product;
identifying at least a first retailer offering the product;
determining, by a controller, terms of a subscription for the product, wherein the
subscription is valid at the at least first retailer;
receiving a modification request; and

modifying terms of the subscription if the modification request is for a permitted modification.

68. (New) The process of claim 67, wherein the modification request is a request to replace the product with a new product.

69. (New) An apparatus for selling an aging food product, comprising:
a processor, and
a storage device that stores a program for directing the processor;
the processor being operative with the program to:
perform the method of claim 1.

70. (New) A computer readable medium encoded with instructions for directing a processor to:
perform the method of claim 1.

71. (New) An apparatus for selling an aging food product, comprising:
a processor, and
a storage device that stores a program for directing the processor;
the processor being operative with the program to:
perform the method of claim 65.

72. (New) A computer readable medium encoded with instructions for directing a processor to:
perform the method of claim 65.

73. (New) An apparatus for selling an aging food product, comprising:
a processor, and
a storage device that stores a program for directing the processor;
the processor being operative with the program to:
perform the method of claim 67.

- B3 74. (New) A computer readable medium encoded with instructions for directing a processor to:
perform the method of claim 67.
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